

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

IRA B. HARRIS,

Petitioner,

v.

CHRISTOPHER L. BREWER,

Respondent.

No. 4:25-cv-00518-JAR

MEMORANDUM AND ORDER

Missouri state prisoner Ira B. Harris has filed a handwritten document titled “State Habeas Corpus Petiti[on], Under 28 U.S.C. § 2254,” (ECF No. 1), and a motion to supplement that petition, (ECF No. 5). Petitioner did not pay the \$5 filing fee or file a motion for leave to proceed in forma pauperis. While Petitioner apparently seeks relief under section 2254, the petition is defective because Petitioner did not draft it on a court-provided form as required by this Court’s Local Rules, and important information was omitted. *See* E.D.Mo. L.R. 2.06(A). Additionally, Petitioner has expressed his intent to amend the petition, but he cannot do so by filing additional material and asking the Court to incorporate it into his petition. The Court will deny the motion, and will give Petitioner 30 days to file an amended petition on the proper form and to either pay the \$5 filing fee or file a motion for leave to proceed in forma pauperis. Petitioner must type or neatly print the amended petition.

Petitioner has also filed a motion seeking the appointment of counsel and/or a guardian ad litem. (ECF No. 2). However, Petitioner does not have a constitutional or statutory right to appointed counsel at this stage of this case, *see Hoggard v. Purkett*, 29 F.3d 469, 471 (8th Cir. 1994), and he has not shown that he is financially eligible to have counsel appointed on his behalf.

Additionally, the current record does not establish that the appointment of a guardian ad litem is necessary. The Court will therefore deny the motion, but will do so without prejudice and will entertain such motions in the future as appropriate.

Accordingly,

IT IS HEREBY ORDERED that the Clerk shall mail Petitioner a copy of the Court's form Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus, and a copy of the Court's form Motion to Proceed in Forma Pauperis and Affidavit in Support – Habeas Cases.

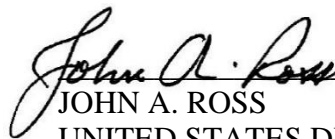
IT IS FURTHER ORDERED that, within thirty (30) days after the date of this Order, Petitioner shall: (1) file an amended petition on the Court-provided form; and (2) either pay the \$5.00 filing fee or file a fully-completed motion for leave to proceed in forma pauperis.

IT IS FURTHER ORDERED that Petitioner's motion seeking the appointment of counsel and/or a guardian ad litem (ECF No. 2) is **DENIED** without prejudice.

IT IS FURTHER ORDERED that Petitioner's motion to supplement the petition (ECF No. 5) is **DENIED**.

Petitioner's failure to timely comply with this order may result in the dismissal of this case, without prejudice and without further notice.

Dated this 4th day of June, 2025.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE